Your Rights Under Section 504 Minot Public Schools

WHAT IS SECTION 504?

Section 504 of the Rehabilitation Act of 1973, commonly called "Section 504," is a federal law that protects students from discrimination based on disability. Section 504 assures that students with disabilities have educational opportunities and benefits equal to those provided to students without disabilities. To be eligible, a student must have a physical or mental impairment that substantially limits one or more major life activity.

YOUR CHILD'S EDUCATION

Your child has the right to:
Receive a free and appropriate public education.
Participate in and benefit from the district's educational programs without discrimination.
Be provided an equal opportunity to participate in the district's nonacademic and extracurricular activities.
Be educated with students who do not have disabilities to the maximum extent appropriate.
Be educated in facilities and receive services that are comparable to those provided to students without disabilities.
Receive accommodations and/or related aids and services to allow your child an equal opportunity to participate in school activities.
Receive special education services if needed.

YOUR CHILD'S EDUCATIONAL RECORDS

You have the right to:
Review your child's educational records and to receive copies at a reasonable cost. You will not be charged if the cost would keep you from reviewing the records.
Ask the district to change your child's education records if you believe that they are wrong, misleading, or are otherwise in violation of your child's privacy rights. If the district refuses this request, you have the right to challenge the refusal by requesting

an impartial hearing.
A response to your reasonable requests for explanations and interpretations of your child's education records.

THE SECTION 504 PROCESS

Your child has the right to an evaluation before the school determines if he or she is eligible under Section 504. You have the right to:
Receive notice before the district takes any action regarding the identification, evaluation, and placement of your child.
Have evaluation and placement decisions made by a group of persons, often called a "504 team", including persons who know your child, the meaning of the evaluation information, and the placement options available.
Have evaluation decisions based on a variety of sources, such as aptitude and achievement tests, teacher recommendations, physical conditions, medical records, and parental observations.
Refuse consent for the initial evaluation and initial placement of your child.
If your child is eligible under Section 504, your child has a right to periodic re-evaluations, including re-evaluations before any significant change is made in your child's placement.

IF YOU DISAGREE WITH THE DISTRICT'S DECISION

If you disagree with the district's decisions regarding your child's identification, evaluation, educational program, or placement under Section 504, you may request mediation or an impartial due process hearing. You and your child have the right to take part in the hearing and have an attorney represent you at your cost.

To file a complaint through the local grievance-complaint procedures. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination with the Office for Civil Rights. The school of attendance staff and administration works with students and parents to complete a 504 Evaluation and Team Meeting to determine Section 504 eligibility and resulting, successful 504 Plan.
Concerns about a 504 Plan can be effectively routed through a student's 504 Team. The person in Minot Public Schools who is responsible for assuring that the District complies with Section 504:

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